

Message

From: Glazer, Thomas [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6578DEB6A4B042FFBE42A9854429FEB5-GLAZER, THO]
Sent: 10/11/2018 1:42:38 PM
To: Havard, James [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9350676809e8403994f1dfc2b7bfdcfe-JHAVARD]
CC: Lewicki, Chris [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7688d5b97aa94ba6af2f38984d479b56-CLewicki]
Subject: RE: Comments on Oregon 303(d) leadership write up

<!--[if lte mso 15 || CheckWebRef]-->

Glazer, Thomas has shared a OneDrive for Business file with you. To view it, click the link below.



Oregon 2012 303(d) List Summary v2.docx

<!--[endif]-->

I entered my comments on the Sharepoint version. See attached.

Tom Glazer
USEPA Office of General Counsel
Water Law Office
7426N WJC North
(202) 564-0908

From: Havard, James
Sent: Thursday, October 11, 2018 8:38 AM
To: Glazer, Thomas <glazer.thomas@epa.gov>
Cc: Lewicki, Chris <Lewicki.Chris@epa.gov>
Subject: RE: Comments on Oregon 303(d) leadership write up

Thanks Tom – Please send us your comments (assuming you didn't do it on sharepoint). Thanks!

From: Glazer, Thomas
Sent: Wednesday, October 10, 2018 6:26 PM
To: Havard, James <Havard.James@epa.gov>; Cora, Lori <Cora.Lori@epa.gov>; Hunter, Christopher <Hunter.Christopher@epa.gov>; Croxton, David <Croxton.David@epa.gov>; Fullagar, Jill <Fullagar.Jill@epa.gov>
Cc: Monschein, Eric <Monschein.Eric@epa.gov>
Subject: RE: Comments on Oregon 303(d) leadership write up

I think everyone is on the same page that, at this time, we've taken no action with respect to OA waters.

A couple hours ago, I sent comments on the paper to Jill **Attorney Client / Deliberative Process / Ex. 5** I think Jill is incorporating those edits now. Maybe she can recirculate the paper so folks can take another look?

Tom Glazer
USEPA Office of General Counsel
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From: Havard, James
Sent: Wednesday, October 10, 2018 6:18 PM
To: Cora, Lori <Cora.Lori@epa.gov>; Hunter, Christopher <Hunter.Christopher@epa.gov>; Croxton, David <Croxton.David@epa.gov>; Glazer, Thomas <glazer.thomas@epa.gov>; Fullagar, Jill <Fullagar.Jill@epa.gov>
Cc: Monschein, Eric <Monschein.Eric@epa.gov>
Subject: RE: Comments on Oregon 303(d) leadership write up

Hi Lori ,

I appreciate that the OR 303(d) process is not like most (or all) of the rest of the country. I'm just trying to put a finer point on what R10 staff **Attorney Client / Deliberative Process / Ex. 5** because that was not clear to the reader (in my eyes). Thinking through these questions might also provide insight into **Attorney Client / Deliberative Process / Ex. 5** per the comment in the document from you and me).

Cobbled together, and taking them from the draft paper, it seems OR's **Attorney Client / Deliberative Process / Ex. 5**

Attorney Client / Deliberative Process / Ex. 5

It strikes me that the first statement is problematic **Attorney Client / Deliberative Process / Ex. 5**
Attorney Client / Deliberative Process / Ex. 5

Attorney Client / Deliberative Process / Ex. 5

The second and third statements are attempting to weave technical justifications. **Attorney Client / Deliberative Process / Ex. 5**
Attorney Client / Deliberative Process / Ex. 5

BTW, You have added a new statement in your email that is not in the paper (see highlight below). I'd like Tom G's view of **Attorney Client / Deliberative Process / Ex. 5** – that highlighted statement seems to suggest we have.

As to the process, we cannot take this issue to Dave Ross without a full analysis of the options, **Attorney Client / Deliberative Process / Ex. 5**
Attorney Client / Deliberative Process / Ex. 5

From: Cora, Lori
Sent: Tuesday, October 09, 2018 5:07 PM
To: Havard, James <Havard.James@epa.gov>; Hunter, Christopher <Hunter.Christopher@epa.gov>; Croxton, David <Croxton.David@epa.gov>; Glazer, Thomas <glazer.thomas@epa.gov>; Fullagar, Jill <Fullagar.Jill@epa.gov>
Cc: Monschein, Eric <Monschein.Eric@epa.gov>
Subject: RE: Comments on Oregon 303(d) leadership write up

Hi, Jim. I have a couple questions about your comments and proposed process.

Attorney Client / Deliberative Process / Ex. 5

Regarding your proposed process for the Region to get the RA's decision, that is not going to work in the timeframe we are under. **Attorney Client / Deliberative Process / Ex. 5** On the 999 other listings, I can see a contemporaneous process where we seek the RA's views, but HQs needs to keep this moving up the chain because the RA likely will put the decision on Mr. Ross as well. We have to stop the hot potato game here.

Lori Houck Cora | Assistant Regional Counsel
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From: Havard, James

Sent: Tuesday, October 09, 2018 1:16 PM

To: Hunter, Christopher <Hunter.Christopher@epa.gov>; Cora, Lori <Cora.Lori@epa.gov>; Croxton, David <Croxton.David@epa.gov>; Glazer, Thomas <glazer.thomas@epa.gov>; Fullagar, Jill <Fullagar.Jill@epa.gov>

Cc: Monschein, Eric <Monschein.Eric@epa.gov>

Subject: RE: Comments on Oregon 303(d) leadership write up

Here are my thoughts on this. I'm looping in Tom Glazer for his review. In a call this afternoon, Tom asked about process – who would the paper be for, what are next steps, etc. I took my best shot at the audience and next steps.

Thanks! Jim

From: Hunter, Christopher

Sent: Wednesday, October 03, 2018 2:59 PM

To: Havard, James <Havard.James@epa.gov>

Subject: Fwd: Comments on Oregon 303(d) leadership write up

Hi Jim,

Here are Lori's comments on the draft OR list action paper. I think her key comment is about **Deliberative Process / Ex. 5**

Deliberative Process / Ex. 5 It's vague in the paper on

purpose, in part because I haven't discussed ideas with R10 and in part **Deliberative Process / Ex. 5**

Deliberative Process / Ex. 5 I have some ideas **Deliberative Process / Ex. 5** but I don't think they are strong or desirable actions.

You've also got Dave C's comments on the draft. We will have to move fast on this if we are hoping to wrap everything up by the end of the month. I'll be accessible in WA tomorrow and at the airport Friday morning, then checking email again the afternoon of Monday the 15th.

Thanks

Chris Hunter
Watershed Branch, Office of Water
US Environmental Protection Agency

Begin forwarded message:

From: "Cora, Lori" <Cora.Lori@epa.gov>
Date: October 2, 2018 at 3:54:39 PM EDT
To: "Fullagar, Jill" <Fullagar.Jill@epa.gov>, "Hunter, Christopher" <Hunter.Christopher@epa.gov>
Subject: Comments on Oregon 303(d) leadership write up

Hello. Attached are my comments on this decision paper. Chris, I asked Jill to send this to me before hearing back from Jim. I am very anxious about the clock ticking and the decision process moving to the decision makers this week if at all possible. I really think Tom Glazer needs to see this ASAP too but will leave that to your discretion.

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